



NEW MEXICO CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-150600 Allegations From Inmates Against Corrections Department Staff or Other Inmates	Issued: 10/31/85 Effective: 11/14/85	Reviewed: 7/31/20 Revised: 2/23/15
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

AUTHORITY:

- A. NMSA 1978, Sections 30-25-1 and 33-1-6, as amended.
- B. Policy *CD-010100*.
- C. Policy *CD-133000*.

REFERENCE:

ACA Standards 5-3C-4232, *Performance Based Expected Practices for Adult Correctional Institutions*, 5th Edition.

PURPOSE:

To make inmates accountable for their conduct and statements when making allegations against staff or other inmates that, by the very nature of the allegation, would necessitate an investigation.

APPLICABILITY:

All employees and inmates of the New Mexico Corrections Department.

FORMS:

Inmate Sworn Statement form (*CD-150600.1*)

ATTACHMENTS:

None

DEFINITIONS:

Perjury: Making a false statement under oath or affirmation, material to the issue or matter involved in the course of any judicial, administrative, legislative, or other official proceeding, knowing such statement to be untrue.

POLICY:

- A. Any inmate making an allegation, verbal or written, against a member of the staff or against another inmate may be requested by the Department to be sworn by a notary public. The inmate is to be advised in writing that the inmate is furnishing a sworn statement having full knowledge that the information the inmate is furnishing is material to the issue or matter involved in the course of, or will initiate an official administrative proceeding, and that if the information is knowingly false, the penalty of perjury under NMSA 1978, Section 30-25-1, attaches using **Inmate Sworn Statement** form (*CD-150600.1*).

- B. If the information furnished by the inmate is proven by investigation to be knowingly false, the inmate may be charged with a major offense before the Disciplinary/ Hearing Officer under the general principles of inmate discipline which impart that any act, although not specifically listed, is a felony under the Criminal Code of the State of New Mexico and will constitute a major violation of policy.

- C. Rule violations that require a formal resolution shall be submitted in a written disciplinary report and forwarded to the designated supervisor. **[5-3C-4232]**

Inmate Sworn Statement (Continued)

Inmate Signature

Date

Signed before me this _____ day of _____, 201_, by _____.

Notary Public

My Commission Expires: